

Executive Council

Thursday. April 4th 1861.

Present. All the Members.

The Council met pursuant to Summons.
 The Minutes of the last preceding meeting were read amended and confirmed.
 His Excellency the Governor laid on the table despatches from His Grace the Duke of Newcastle in answer to the subjects brought before the Council in recent sittings.
 The Clerk then read despatch N^o 70 from the Secretary of State enclosing a correspondence from the Land & Immigration Commissioners concerning the disposal of Crown Lands, and the wild cattle thereon, in the Falkland Islands.
 Mr. Sargden then laid on the table the drafts of two Proclamations which he had drawn up by H. E.'s order embodying all the suggestions of the Immigration Commissioners. These drafts were finally agreed to and published (see Notice book Page 347 Vol 1. Proclamation N^o 8 of the 4th April 1861 and Proclamation N^o 9 of the 5th April 1861 Page 351).

The Council then adjourned *très die*

William R. Nye
 Clerk to the Council

Executive Council

Friday, May 3rd 1861.

Present: H. E. Governor Moore
 H. J. Hamblin Esq.
 J. R. Snyden Esq.
 The Rev. Chas. Bull. Am.

The Council met pursuant to Summons.

The Minutes of the last preceding meeting were read amended and confirmed.

His Excellency said that he had summoned the Council in order to obtain the opinions of the members in reference to a contract made in May 1860 with the Falkland Island Company (which contract H. E. laid on the table) stating that Mr. Lane refused to fulfil the contract & that he sought the opinions of the Council as to what steps he should take in reference to bringing the Mails and Specie.

Mr. Snyden said that he had a conversation in January with Mr. Lane regarding a Man of war vessel coming to the Colony.

H. E. then ordered the Clerk to read the following letters on the subject.

1. Mr Lane to the Governor 1 February 1861
2. The Governor to Mr. Lane 4th do do No. 20.
3. Mr. Lane to the Governor 4th do do
4. The Governor to Mr. Lane 5th do do No. 21.
5. Mr. Lane to the Governor 5th do do
6. Mr. Lane to the Governor 27th April do
7. The Governor to Mr. Lane 27th do do No. 25.
8. Mr. Lane to the Governor 29th do do
9. The Governor to Mr. Lane 29th do do No. 28.
10. Mr. Lane to the Governor 29th do do
11. The Governor to Mr. Lane 30th do do No. 29.
12. Mr. Lane to the Governor 30th do do
13. The Governor to Mr. Lane 1st May do No. 31.
14. Mr. Lane to the Governor 1st May do
15. The Governor to Mr. Lane 1st do do No. 32.

16. Mr. Lane to the Governor May 1st 1861.
17. The Governor to Mr. Lane " " " N^o 93.
18. Mr. Lane to the Governor " " " "
19. Mr. Longden to Mr. Lane May 2nd " N^o 94.
20. Mr. Lane to the Governor May 2nd 1861
and 1 enclosure
21. The Governor to Mr. Lane May 2nd 1861, N^o 96.
22. Mr. Lane to the Governor May 2nd 1861.
23. Mr. Lane to the Governor May 3rd 1861.

Mr. Bull said that as Mr. Lane states that the "Fairy" is to go to Monte Video he would advise that H. Q. should send an Officer on board the Fairy as a passenger on the service of H. M. - that he should take Govt. despatches, mails & specie with him by the "Fairy" or other conveyance being empowered to make all necessary arrangements at Monte Video. Mr. Hamblin thought that some difficulty would arise about the passage of such an officer; and recommended that the Govt. should pay to the F. J. Company the usual sum of £100 for bringing down the mails, under protest, holding the Comp^y responsible for any expenses that may be incurred in consequence of their breach of contract, and advised that the Admiral on the Station should be written to explain the circumstances under which Mr. Lane had refused to carry out his contract of May 1860.

Mr. Bull contended that Mr. Lane could be compelled to carry a passenger in the Fairy if he has sufficient room & accommodation. Mr. Longden said that he thought no one could compel Mr. Lane to carry passengers in the Fairy, and that he agreed with Mr. Hamblin in thinking that the contract of May 1860 was still binding as it had been postponed by each party and had been deliberately broken by Mr. Lane.

Mr. Lane without any excuse, but at the same time it seemed clear to him that there was no way for the Government to get out of the difficulty into which it had been thrown by Mr. Lane's breach of contract, except by means of the Fairy. That as the interests of the Colonists must be greatly injured by the cessation of the Mails he would suggest, tho' with great reluctance, in the interests of the public, that it would be advisable to send the Mails by the Fairy, on payment of the usual subsidy, but holding the Company responsible for all losses which the Govt. may sustain by the breach of contract which had already occurred, the existence of which is denied by Mr. Lane in writing. What that responsibility is must be determined hereafter. Mr. Bull suggested that in future it would be advisable to make the contract more open at Monte Video and other places & that in consequence of Mr. Lane's repudiation of his own written engagements it would be impossible for the Council to advise H. Excellency to conclude any future arrangements with Mr. Lane.

Mr. Snyder said that difficulties might always be expected in the carrying out of the Mail contract with whomsoever made. That in his opinion the most satisfactory course to pursue would be, when the Colonial Revenue could afford it, to purchase a vessel which might be obtained here for £500 or £600. That the subsidy now paid for the Mail service would be sufficient to defray the annual expenses of such a vessel. That in the intervals of her going for the Mails such a vessel would be of great use in the Colony and would save many expenses which the Govt. are annually incurring in sending small boats about with great difficulty and danger, and the means of providing such a vessel might be defrayed from the instalment of £2000 payable by the Company next September.

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See letter book
sent to Mr. Lane
May 3rd 1861.

The following letter was then drawn up at
the Council table to Mr. Lane -

The Council then adjourned sine die

At

William R. Pyne

Clerk to the Council -

Sent home in
Despatch No. 37. of 26th
July 1861

Executive Council

Wednesday, July 17th 1861.

Present. All the Members.

The Council met pursuant to Summons.
The Minutes of the last preceding meeting were read and confirmed.

The Governor referring to two letters he had received from Captain Packe and from Mr. Lane dated 15th June 1861 copies of which had been sent to the Members on the 8th July 1861 asked the opinions of the Council on the points therein raised.

After some discussion it was resolved by the Council:

That as all the rights granted to any persons under the Proclamations of 1847 and 1849 are fully reserved under the Proclamation of 4th April 1861; and as the said Proclamation of 4th April 1861 enables all persons to acquire from time to time as much land as may be necessary for the increase of their stock limited only by the extent of the Islands;

And, as the said Proclamation by requiring a continued bona fide occupation of the Land prevents any lease being taken up for the purposes of extortion or annoyance; This Council do not advise your Excellency to amend or rescind the Proclamation of 4th April 1861.

With reference to the request in Mr. Lane's letter that the Lands now occupied by the Company under the Proclamation of 1847 should be leased to them under the Proclamation of 4th April 1861, the Council resolve, — That the Council advise your Excellency to offer to the Company four grazing Stations between Seal Creek and Swan Inlet

Inlet to be allotted by the Surveyor General continuously Eastward from Seal Creek under the Proclamation of 4th April 1861 in exchange for the four districts at Port Salvador leased to them last year, which must be surrendered to the Crown.

And the Council further advise Your Excellency that the Western shore of Swan Inlet, as far as the head of West Cove Mare Harbour, should, when the present occupation of it ceases, be reserved. And with reference to the concluding paragraph of Mr. Lane's letter submitting "that there can be no sufficient reason, & that it would involve unnecessary outlay to require a house to be erected on each grazing station by the lessees of contiguous lands already built upon" - the Council are of opinion that each case when it arises must be dealt with separately by the Governor in Council. -

The Governor then laid before the Council the Duke of Newcastle's despatch D-82, dated 16th April 1861, with its enclosures proposing a revision of the Postal arrangements between this Colony and the United Kingdom, & the letter from Mr. F. Hill to Sir F. Rogers dated General Post Office 5th April 1861 proposing to the Governor of the Falkland Islands to adopt for letters that Colony and the United Kingdom an arrangement similar to that which has been agreed upon with Canada & some other Colonies requiring as a rule that the postage in both directions shall be paid in advance, but allowing unpaid & insufficiently paid letters to be forwarded charged with a fine of a single rate of postage (6^d) in addition to the ordinary postage; and that such fines should be equally divided between the General Post Office & the Colonial Post Office as in the case of other Colonies which have adopted

adopted this system. The Council recommended that the proposal of the General Post Office should be adopted, that the Governor should forthwith cause the proposed postal arrangements to be published in the Colony & that the proposed arrangements shall be brought into operation from & after the 1st day of August next.

The Governor then called the attention of the Council to a Circular from the Duke of Newcastle conveying the melancholy intelligence of the death of H. R. H. the Duchess of Kent and proposed that the following address should be sent to Her Majesty which was agreed to by the Council.

" To Her Most Gracious
 " Majesty, Victoria, of
 " Great Britain and
 " Ireland, Queen, &c =
 " Defender of the Faith
 " &c &c &c

" The Humble address of the Governor Executive
 " Council and Colonists of Your Majesty's distant
 " Colony and Dependency of the Falkland Islands
 " We beg to approach the Throne of
 " Your Majesty to express our condolence
 " of the bereavement under which your
 " Majesty has suffered; and to assure
 " your Majesty that there was heartfelt
 " grief at the death of your Royal
 " Mother even in this remote portion
 " of your Majesty's Dominions.
 " In hearing of the approaching nuptials
 " of the Princess Alice we recognize an
 " event which may serve to console your
 " Majesty under your first family sorrow
 " and we trust that a Gracious God
 " will long spare your Majesty, your
 " Illustrious Consort & H. R. H. to be
 " examples to your Majesty's loving
 " subjects

"subjects of what the parental care
"can do even in the highest stations
"of this world."

"Stanley Falklands
17th July 1861.

The Governor then laid on the table a
Circular from the Duke of Newcastle dated
28th February 1861 relative to the organization
of the a Vice Admiralty Court in this Colony
and the appointment of Officers, the discussion
of which subject was postponed.

The Council then adjourned

William J. Pyne
Clerk to the Councils

Sent Home
29th July 1861
despatch N^o 30
by Schooner "Hairy"
W.P.

Copy of Commission

Edward Wallace Goodlake

Whereas Her Majesty did, by Her Letters Patent under the Great Seal of the United Kingdom of Great Britain and Ireland bearing date at Westminster the twenty third day of June in the year of Our Lord One thousand eight hundred and forty three and in the seventh year of Her Reign, authorize the Governor of the Falkland Islands for the time being to summon and appoint such persons as are therein and in Her Majesty's Instructions described to form an Executive Council; and by Her Instructions did authorize the Governor to nominate any person within the said Falkland Islands to fill any vacancy caused by the absence from the said Islands of any Member of the said Council: Now, ~~therefore~~, I, the said Governor do hereby in Her Majesty's name in pursuance and exercise of the power aforesaid constitute and appoint you, Edward Wallace Goodlake Esquire, to be a Member of the Executive Council in place of Thomas Warrick Brooke Esquire late a Member of the said Council Given under my hand and sealed with the seal of the Colony at Government House Stanley this eighth day of January One thousand eight hundred and sixty two.

T. S.

J. E. I. More
Gov^r

Copy of Commission

The Reverend Charles Bull.

Whereas Her Majesty did by Her Letters Patent under the Great Seal of the United Kingdom of Great Britain and Ireland bearing date at Westminster the twenty third day of June in the Year of Our Lord One thousand eight hundred and forty three and in the seventh year of Her Reign, authorize the Governor of the Falkland Islands for the time being to summon and appoint such persons as are therein and in Her Majesty's Instructions described to form an Executive Council and by Her Instructions did authorize the Governor to nominate any person within the said Falkland Islands to fill any vacancy caused by the absence from the said Islands of any Member of the said Council; Now, therefore, I, the said Governor, do hereby in Her Majesty's name in pursuance and exercise of the power aforesaid constitute and appoint you, The Rev^d Charles Bull, M.A. Clerk, to be a Member of the Executive Council in place of James Robert Longden Esquire late a Member of the said Council

Given under my hand and sealed with the Seal of the Colony at Government House Stanley this tenth day of January One thousand eight hundred and sixty two.

L.S.

J^o

J. E. L. Moore
Gov^r

I Edward Wallace Goodlake do swear that I will in the place and
Office of Member of the Executive Council
of the Falkland Islands well and faithfully
serve and assist the Governor of the said
Islands for the time being with my
best advice, and that I will keep secret
the secret debates of the said Council
So help me God

I Edward Wallace Goodlake do sincerely
promise and swear that I will bear
true allegiance and be faithful to
Her Majesty Queen Victoria. —
So help me God.

Oaths taken

31st January 1862.

Executive Council

January 6th 1862.

Present; H. E. Governor Moore
H. J. Hamblin Esquire
J. R. Longden Esquire
The Rev^d. Charles Bull.

His Excellency invited the opinions of the Council with reference to an Appeal made by Mr. Lane, Agent of the F. I. Company to "the Governor in Council" which H. E. laid on the table & directed the Clerk to read it.

Appeal read accordingly.

Mr. Bull said he wished to make a few remarks in reference to the general powers of the Executive Council in the matter of hearing Appeals.

At the request of H. E. Mr. Goodlake, Chief Magistrate, attended the Council and gave his advice and assistance.

Mr. Bull then read the following remarks

"Your Excellency will permit me on this
"occasion to speak freely and openly on
"the general subject of hearing Appeals from
"the Magistrates' Court to this Council; the
"whole subject is one of great importance;
"I state it there can be no reasonable
"doubt but that if an Appeal is to lie with
"the Governor in Council it must be to the
"Governor in the Executive Council,
"otherwise the Appeal would lie with the
"Governor in the Legislative Council. That
"is to the Governor and to the two Senior
"Justices on the Roll both of whom may
"have already decided the case against
"the appellant and one of them must have

" have been the presiding Magistrate. Had
 " the case now before this Hon^{ble} Council been
 " taken to the Legislative Council it would have
 " been heard by Your Excellency aided by two
 " Magistrates whose decisions are in question,
 " a course manifestly absurd, opposed to all
 " justice, & I believe quite at variance with the
 " course pursued in other colonies and certainly
 " not that intended by the eminent lawyer
 " who drew up these Ordinances who is allowed
 " on all hands to have been well qualified for
 " that task."

H. V. then invited the opinions of the Members
 as to their competency to hear the Appeal.

Mr. Longden said that he did not think the
 Council competent to decide a question of its
 own powers. The Ordinance states simply
 "the Governor in Council"; whether those words
 signify the Governor in the Executive Council, or
 the Governor in the Legislative Council is a
 question for either the Legislative Council to
 decide itself by passing an explanatory Ordinance
 or for the Judges to decide in the ordinary admini-
 -stration of the Law, therefore I advise Your
 Excellency to seek the advice of the Chief Magistrate
 on this point.

Mr. Woodlake gave as his opinion that the Legis-
 -lative Council was the Supreme Body in the Colony
 and that the matter should properly be decided by
 that Council. That it might be a question whether
 the Legislative Council would not themselves apply to
 the Executive Council in the event of difficulties in
 carrying out their decisions.

Mr. Longden said that it was in every Colony
 the custom for the Chief Magistrate to be a Member
 of both Councils, and therefore all the objections to his
 sitting on one Council of course applied to his sitting
 on the other.

Mr. Hamblin concurred with Mr. Longden with
 reference

reference to Mr. Bull's expression that one of the Legislative Council must have been the presiding Judge, that it does not at all follow that the Chief Magistrate should have been on the Trial at all.

Mr. Goodlake said that in the absence of precedent he thought the Legislative Council the only competent Body to take into consideration an appeal from a decision given presumably according to the Ordinances which they had framed & approved for the Administration of Justice in the Colony.

The Council advised H. E. that in any future revision of the Administration of Justice Ordinance the Clauses permitting appeals to the Governor in Council should be omitted & the only appeal allowed to be to the Queen in Council on the terms and under the restrictions usual in other small Colonies.

The Council then adjourned. *finis*

William R. Pyne
Clerk to the Councils

Executive Council

Friday, January 31st 1862.

Present. All the Members.

The Council met pursuant to adjournment.

His Excellency directed the Clerk to read Mr. Woodlake's Commission as a Member of the Executive Council, which having been read Mr. Woodlake took the customary Oaths. The Minutes of the last preceding Meeting were read and confirmed.

H. G. the Governor then addressed the Council as follows;

"In consequence of three despatches I have recently received from His Grace the Secretary of State for the Colonies, relating to the tenure of Lands in these Islands and to the Wild Cattle therein, which have been called forth by complaints made by the F. S. Company, I have thought it right to call upon the Members of this Council for their opinions & advice. From time to time, not only against myself but also against the Government generally, very serious charges have been made by the Agent of the Company and as soon as one charge has been disproved another has been immediately transmitted to the Secretary of State.

"As all the Regulations respecting the Lands and the disposal of the Wild Cattle were duly submitted to the Council it seems to me but right that I should have the advice of the Members on questions arising from Regulations to which they have given so much attention.

"In

"In despatch N^o 105, of the 6th December a
 "charge is brought by the Company that under
 "the Proclamation of 5th April 1861 I have granted
 "licences to persons to trespass on the Farms of
 "the Company, to destroy thousands of their
 "cattle, & that I have refused their Managers
 "a licence except on payment of a fee.
 "This the Council will see from the copies of
 "the licences granted which carry with them
 "the boundaries of the Crown Lands within
 "which each licence has been licensed to
 "kill Cattle, is an unfounded charge resting
 "on no evidence whatever.
 "In despatch N^o 106 of the same date His
 "Grace the Secretary of State appears to
 "consent to the Company remaining in
 "occupation of the Lands they hold under
 "the Proclamation of 1847, provisionally, pending
 "the report I may send on the subject. -
 "The whole of the circumstances having been
 "so frequently before the Council & the Regulations
 "having received the approval of His Gov^t
 "and having been acted upon throughout the
 "Colony I had hoped that there could not
 "have been found room for these fresh
 "demands from the F. J. Company which
 "if complied with will involve much dissatis-
 "faction among the Colonists generally and
 "particularly among those who on the faith
 "of these Regulations have built upon & stocked
 "their several farms.
 "I will lay before the Council the Duke of
 "Newcastle's despatches on the subject with
 "their enclosures from the F. J. Company and
 "all the other documents relating to the subject
 "which you may require, and I trust that
 "by sending home the Minutes of the Council
 "we shall place the Secretary of State in a
 "position to refuse any unjust demands of
 "the

"The Company while at the same time their
"equitable rights will be protected"

The Clerk then read the following documents
Despatch N^o 99, dated 6th August & its enclosure
H. 2. The Governor's despatch in reply N^o 5, dated
12th January 1862.

The Council fully concurred in the views
contained in this despatch.

Despatch N^o 105, dated 6th December 1861 with
its enclosure

Despatch N^o 106, dated 6th Dec^r 1861 with its
enclosure.

Mr. Hoodlake stated that no complaint
had ever been made to the Court against
the person Andrej Petalugw or any other
person for trespass or for killing beyond the
usual number of animals allowed, and in
this he was corroborated by the Governor.

Mr. Haublin & Mr. Bull also spoke in
favor of A. Petalugw's character as a man
who had, under serious difficulties raised
himself to the position of an independent
Grazier.

The Governor then placed on the table a chart
of the Islands with the districts marked, the
various licences for killing Cattle, to the Company
Packer, Petalugw and Birmer, the correspondence
alluded to, & other papers connected with the
question of leased lands.

Mr. Hoodlake said he would wish to place on
"record his opinion that the letter of Sir W. Ouseley
of the 21st October was throughout a tissue of
"misrepresentations; that after a careful perusal
"of the various documents there can be no doubt
"that Governor Moore has placed the F. I. Company
"in all territorial questions or at least as favorable
"a footing as other Colonists & that with respect to
"the alleged permission to trespass on the Company's
"lands, the thousands of cattle killed &c. if Sir W.

"Ouseley's

"Onsday's information was derived from other
 "sources than from the Company's Manager here
 "he had no right to make the assertions he has,
 " & if it was obtained from that person he was
 "deliberately & wilfully misinformed.
 "With regard to the allusion to the conduct of
 "the Courts of Justice I cannot qualify it by
 "any other term than that already used, and
 "can only regret that it is hardly so explicitly
 "libellous as to justify a criminal prosecution.
 "The F. I. Company not contented with a
 "very fair return for the Capital they have
 "invested are anxious to create a monopoly
 "for their own private advantage, while the
 "endeavours of the Gov^t have been directed
 "towards the prosperity of the entire Colony.
 "I would suggest that a Memorial be
 "respectfully presented to the Home Authorities
 "signed by the Members of this Council praying
 "that in future any charges made by the
 "F. I. Company or their Agents against any
 "Members of this Gov^t be sent in the usual
 "course through the Governor for the time being
 "who would thus be enabled to make the
 "very necessary remarks upon them.
 "Mr Bull said he fully concurred with
 "Mr Goodlake's remarks; but said that
 "he thought it would perhaps be more
 "dignified to leave the matter in the hands
 "of the Governor".

After some discussion in which the Governor
 explained his reasons for making reserves in
 different parts of the Islands. The Council
 unanimously approved the policy of the
 Governor in having made these reserves.

Mr Bull begged to submit to the Governor
 that an offer should be made to the F. I. C.

through the Secretary of State to allow the Company to lease the districts on the shore of Christchurch Sound lying East of Seal Creek under the Proclamation of 1849 in exchange for the Lands at Salvador, acre for acre, which were purchased merely as a land speculation & at present nearly deserted.

Mr. Hamblin & Mr. Woodlake concurred in this suggestion.

The Governor remarked that this offer had been made before by the advice of the Council & that the Agent of the Company had refused it (copies of which letters will be forwarded with these Minutes) With reference to the complaints of the Company as to compulsory building on leased lands the Governor referred to the Minutes of the Council of 17th July 1861 which were then seen by the Company's Agent here & were sent home in despatch No 30, 29th July 1861.

Mr. Woodlake said that with regard to Seal Islands it was clear to any resident in the Falklands that the request of the Company is rather dictated by local feeling than by any actual advantage. There is no doubt that this small strip of land forming Marett Harbour is within the red line indicating the Company's Lands laid down in the Chart of Governor Murray which was agreed to by Mr. Lafone the original purchaser of the land & by which the Company hold all their other Islands. The Company have neither the slightest right or the slightest necessity for it & they have only now again applied for it because it has been let to a Colonist with whom the Company's Manager is notoriously on bad terms.

Mr. Hamblin concurred with Mr. Woodlake in this opinion.

H. G. then laid on the table an application he

he had received from Mr. Turpin, holder of a licence to occupy a plot under the Proclamation of 14th April 1861 applying for an extension of the time allowed by that Proclamation for building the required house on his land

Resolved;

The Council advise by Excellency that as Mr. Turpin's licence does not expire until June next, it would be well to recommend Mr. Turpin to commence to build his house as soon as possible before the expiration of his licence.

William R. Pyne
Clerk to the Council

Executive Council

Wednesday, February 5th 1862

Present;

H. E. Governor Stone
 E. W. Goodlake Esq.
 The Rev. C. Bull.

The Council met pursuant to adjournment
 The Minutes of the last preceding Meeting were
 read, amended, and confirmed.

After which the Council adjourned

William D. Pyne
 Clerk to the Councils

11th Feb

Executive Council

Thursday, July 17th 1862

Present; A. E. Governor Munn
C. W. Goodlake Esq:
H. J. Hamblin Esq:
The Rev. C. Bull. M.A.

The Minutes of the last preceding Meeting were read & confirmed.

A. E. said that he had called the Members together in order that he might invite their opinions on some questions which had been raised by Mr. Lane the agent of the F. I. Company regarding the disposal of Town & Suburban Crown Lands, and regarding which Mr. Lane had addressed a Memorial to His Grace the Secretary of State for the Colonies.

17th July 1862

A. E. directed the Clerk to read Mr. Lane's Memorial which was read accordingly. (See Misc. Letter Book Vol. 11.) Mr. Goodlake then addressed the Council as follows: "This Memorial ^{of Mr. Lane's} appears to contain at least the usual amount of inaccuracy & misrepresentation which will probably be exposed in H. R. Excellency's Official Despatch. It seems that the Town Lot No. 27, in question, has been vacant since it was first offered at Public Auction some years ago, though subsequently rented by the Rev. Mr. Moody under a direct permission from the Secretary of State, but that the F. I. Company never thought of applying for it, and I believe they would not have done so now if Mr. Phillips had not come forward and bought it at the upset price. - If the Regulations mentioned were strictly adhered to, the F. I. Company, being the sole capitalists who could do so, would purchase the

whole

"whole Island & establish a monopoly which
 "would effectually ruin the Colony, and it was
 "no doubt this reason which induced the two
 "Governors who were here before your Excellency
 "to sanction the deviation from the strict letter
 "of the Regulations, which has now become
 "the general custom in the sales of Town and
 "Suburban Land in this Colony. It seems
 "clear that the custom of treating Town Lots
 "in the same way as rural Lots i.e. selling
 "them to anyone who applied after they had
 "once been submitted to Public Auction has
 "almost invariably prevailed since the
 "first establishment of the Settlement here
 "in 1843, & that especially to the G. I. Company
 "themselves in their Lot No 22. I would therefore
 "suggest that Mr. Lucellony should communicate
 "with the proper authorities & move that all sales
 "of Town Lots up to the present time whether
 "to the G. I. Company or to other settlers be
 "declared valid, and that in future in
 "consideration of the very peculiar economy of
 "this Colony, there be given a distinct discretionary
 "power vested in the Governor in Council either
 "to grant such lots at the upset price or to
 "submit them to Public Auction."

Seconded by Dr. Hamblin.

~~Mr. Paul then moved in continuance with
 of Mr. Girdlestone motion "that in peculiar
 "cases & with a view to the encouragement
 "of industry there should be a discretionary
 "power vested in the Governor in Council to
 "allow a drawback at the end of two years
 "on any single Town or Suburban Lot, of
 "not more than one half of the upset price
 "provided that the Lot in question be built
 "on & occupied to the satisfaction of the
 "Governor in Council & that this should not
 "be~~

"be retrospective in its operation."
Seconded by Mr. Goodlake

H. R. then thanked the Members for their attention & consideration of the subject before them & adjourned the Council sine die

William D. Pyne

Clerk to the Councils & Colonial Secretary

4.

Mr. Bull moved in continuance of Mr. Goodlake's motion "that it shall be permitted to the Governor in Council to grant one Town or Suburban Lot of Land to any person on the same terms as those extended to Government Officers in Lord Stanley's despatch No. 25. of the 2nd June 1846. namely that the said lot may be rented from the Crown at a percentage of 5 per cent on the purchase money with the right of purchase at a later period"

Seconded by Mr. Goodlake
His Excellency then thanked the Members for their attendance and before ^{adjourning} the Council addressed the Members as follows:-

~~Mr. Bull~~
~~Mr. Goodlake~~
~~Mr. Bull~~

W. D. Pyne
Clerk to the Councils

Before the Council adjourned H. R. directed the Clerk to read a letter he had received from Mr. Dean, dated 16th July 1862. *vide* Misc. letter Book. Vol. 11.

Executive Council

Thursday. August 7th. 1862.

Present; H. E. Jernin Moore

E. W. Goodlake Esq.

The Rev. C. Bull. M. A.

Mr. Hamblin was unable to attend in consequence of his professional duties.

The Council met pursuant to summons. The Minutes of the last preceding Meeting were read, amended and confirmed.

His Excellency the Governor before adjourning the Council, advertent to his approaching departure from the Colony, addressed the Council as follows: "Gentlemen, In taking leave of you after nearly seven years intercourse I beg to express my appreciation of the cordial assistance you have given me on every occasion during my administration of this Government."

"It is satisfactory for me to remark that the Colonial Revenue has greatly increased, in fact the revenue for the last year was double the amount estimated. This I attribute to the Land & Cattle Proclamations which have passed through this Council."

"With respect to the Port there has been an increase in the Tonnage."

"I may also speak of the good order of the Settlement & the very satisfactory decrease in the habit of drunkenness."

Mr. Bull said that he was sure that everyone in the Colony would regret H. E.'s departure, that he would not speak as a private individual but in his official capacity, & he could never sufficiently express his thanks for the support he had received in his own department.

On the part of the Colonists he could assure
His

" His Excellency that $\frac{9}{10}$ of the Colonists would
 " much regret his departure & that they would
 " join with him in wishing his self and his
 " family every happiness & prosperity in
 " whatever other Colony his lot were placed.

Mr. Goddard concurred with Mr. Bulke.

The Council then adjourned sine die

W. D. Ryne

Clerk to the Council

Executive Council.

Thursday, October 30th 1862.

Present; H. R. Governor Moore
 H. J. Hamblin Esq.
 The Rev. C. Bull. M.A.

The Council met pursuant to summons. The Minutes of the last preceding Meeting were read and confirmed.

His Excellency said that he had called the members together to consider an application he had received from Mr. Goodlake the Stipendiary Magistrate for leave of absence to return to England on the ground of ill-health which H. R. laid on the table together with a certificate from the Colonial Surgeon.

H. R. said that he regretted very much the necessity for Mr. Goodlake's leaving the Colony as it was always inconvenient for the Government to be left without any legal advice, but that he should be able to fill Mr. Goodlake's office temporarily, during his absence. (Letter & certificate read)

Mr. Hamblin stated that he had already expressed his opinion, and advised that H. R. should grant Mr. Goodlake's leave in terms of his ^{own letter} where he states that if he is unable to return to the Colony he will tender his resignation to the Colonial Office.

Mr. Bull said that he would merely suggest for the sake of Mr. Goodlake himself & for the Colony that he should have leave granted to him to report himself at home and leave the matter in the hands of the Secretary of State, in fact, that the leave be granted upon the terms of his own letter. — (Leave granted accordingly)

The Council then adjourned *tie die*

P. W. D. Pines